IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.5055 OF 2005

Hemant Rajesh More ...Applicant
vs.
State of Maharashtra ...Respondent

Mr.K.S.Patil and Mr.Deepak Girme for the Applicant
Ms S.D.Shinde,A.P.P. for State

CORAM: A.S.OKA,J.
DATE : AUGUST 16,2005

P.C.:

1. Heard Advocate for the Applicant and the learned A.P.P. for State. The offence alleged against the Applicant and co-accused is punishable under Sections 302 read with Section 34 of I.P.C. The first informant and the other witness Anil have ascribed specific roles to both the accused. The allegation against the Applicant is that he assaulted the deceased by fists blows and the allegation against the co-accused is regarding assault on the deceased by using a weapon. The P.M.Notes show that there is no injury on the person of the deceased which may be caused by the fist blows. As stated earlier the allegation of assault on the deceased by using a weapon is against the co-accused.

2. In view of these facts, a case is made out for enlarging the Applicant on bail. The Applicant is in custody from February 2005.

3. Hence, I pass the following order :

i) The Applicant shall be enlarged on bail in connection with C.R.No.128 of 2005 registered with Kothrud Police Station, Pune subject to furnishing a personal bond of Rs.15,000/- (Rupees fifteen thousand) with one or two sureties in the like amount.

ii) Bail is granted subject to the condition that till the conclusion of the trial the Applicant will report to the concerned Police Station once in a week.

iii) The Bail is granted subject to condition that the Applicant shall not, directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with prosecution evidence.
iv) The Applicant shall cooperate with the learned Trial Judge for expeditious disposal of the trial. Any attempt by the Applicant to delay the trial may be a ground for cancellation of bail.

v) Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

vi) Application is disposed of in above terms.

vii) The parties to act upon an authenticated copy of this order.

JUDGE